

SELL-OUT!

A MOUNTING PUBLIC ANGER AND SERIOUS CONCERN OVER AN AGREEMENT BETWEEN INYO'S NEGOTIATORS AND THE DWP. BUT SOME OFFICIALS WILL TRY AGAIN TO PUSH IT THROUGH.

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Angry, frustrated, disappointed after more than a year's assurances that the DWP-Inyo negotiations were proceeding favorably, county citizens turned out in overflow numbers at a meeting of the board of supervisors. In a hastily-organized radio announcement campaign last weekend, they had learned that the supervisors intended to push through adoption of the agreement against the advice of their own counsel and before the public had a chance to learn of its content. The story of the week's events begins on Page 2.

INSIDE:

Annual cattle drive, P.12
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THE Inyo County News-Letter

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60¢

INDEPENDENCE CAL. 93526

June 29, 1979

...and arson may be another reaction

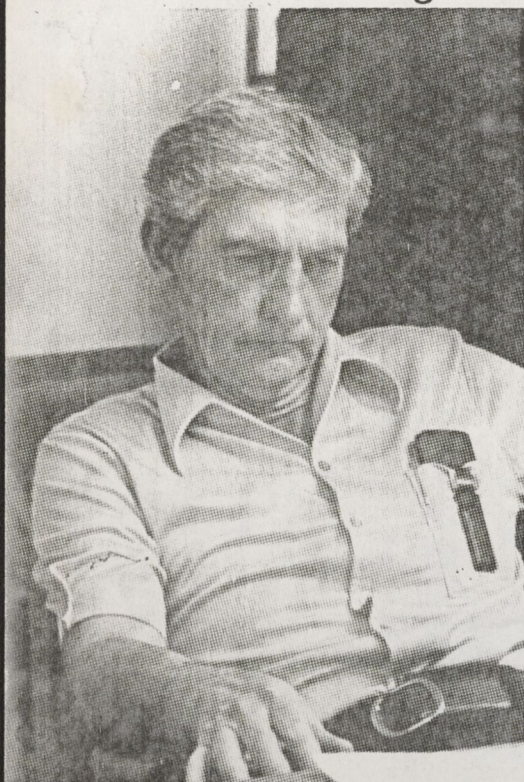


A fire of undetermined origin spread rapidly through a frame shack and platform adjoining a DWP groundwater well drilling rig that had been operating in a remote area between Independence and Big Pine. More pictures and story, Page 6.

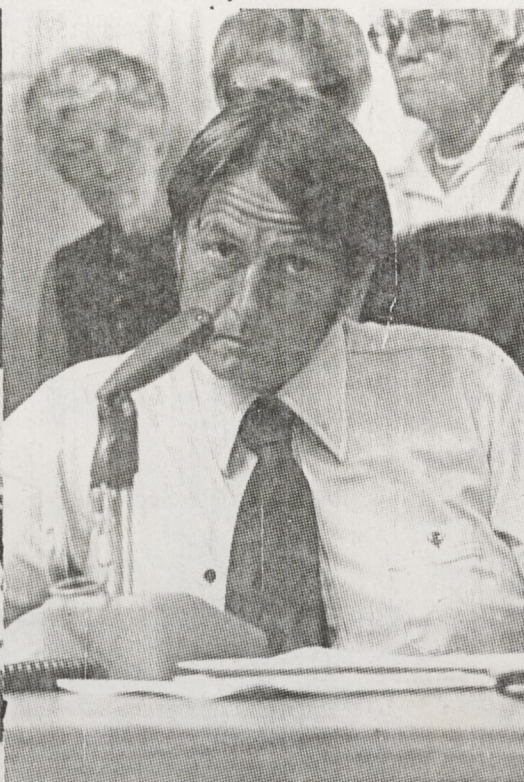


A weekend radio announcement campaign brought scores of angry people into the supervisors' meet

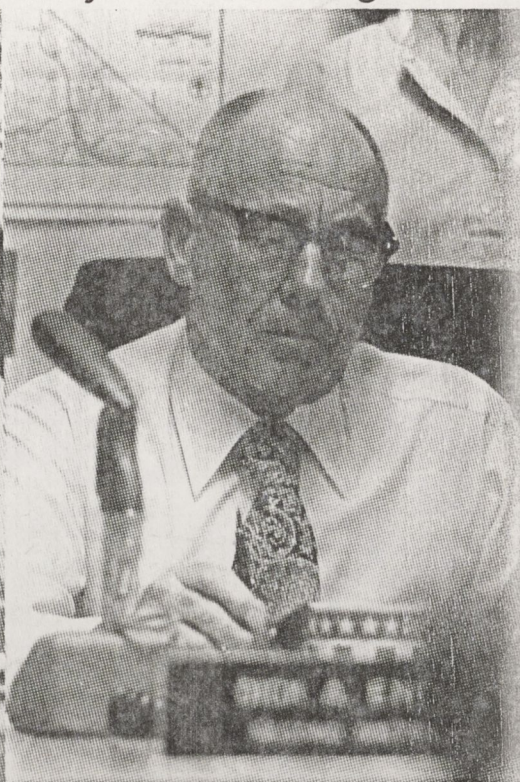
The agreement was DWP's; proposed, written, presented by DWP. These negotiators accepted it with very few changes



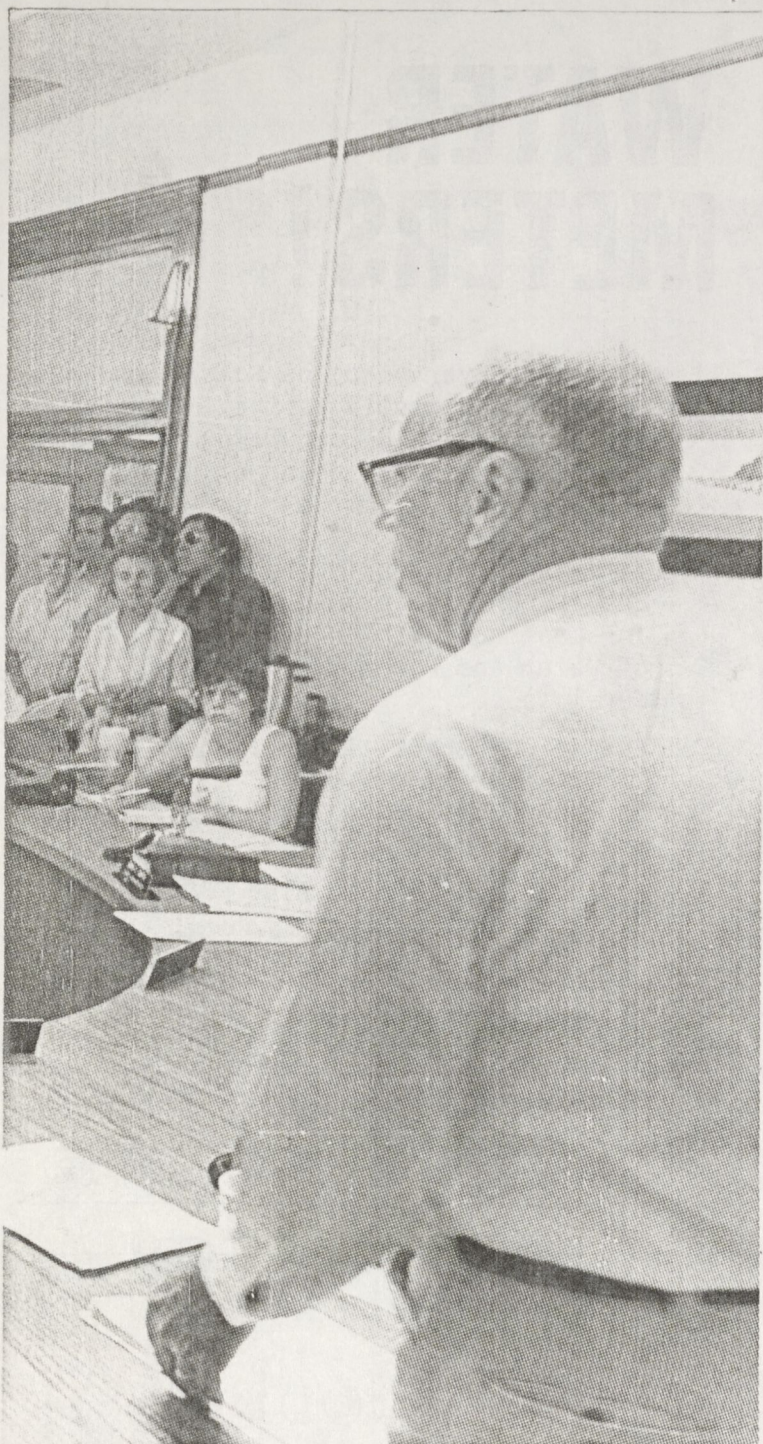
Administrator John K. Smith



Supervisor Richard McDonald



Supervisor Dick Engel



Angry crowd and answers from a voice on the phone

SOME CALLED IT A SELL-OUT, SOME DEMANDED RECALL ELECTIONS, ALL WERE DISAPPOINTED, AND NOBODY WAS BUYING THE DWP AGREEMENT

By Benett Kessler

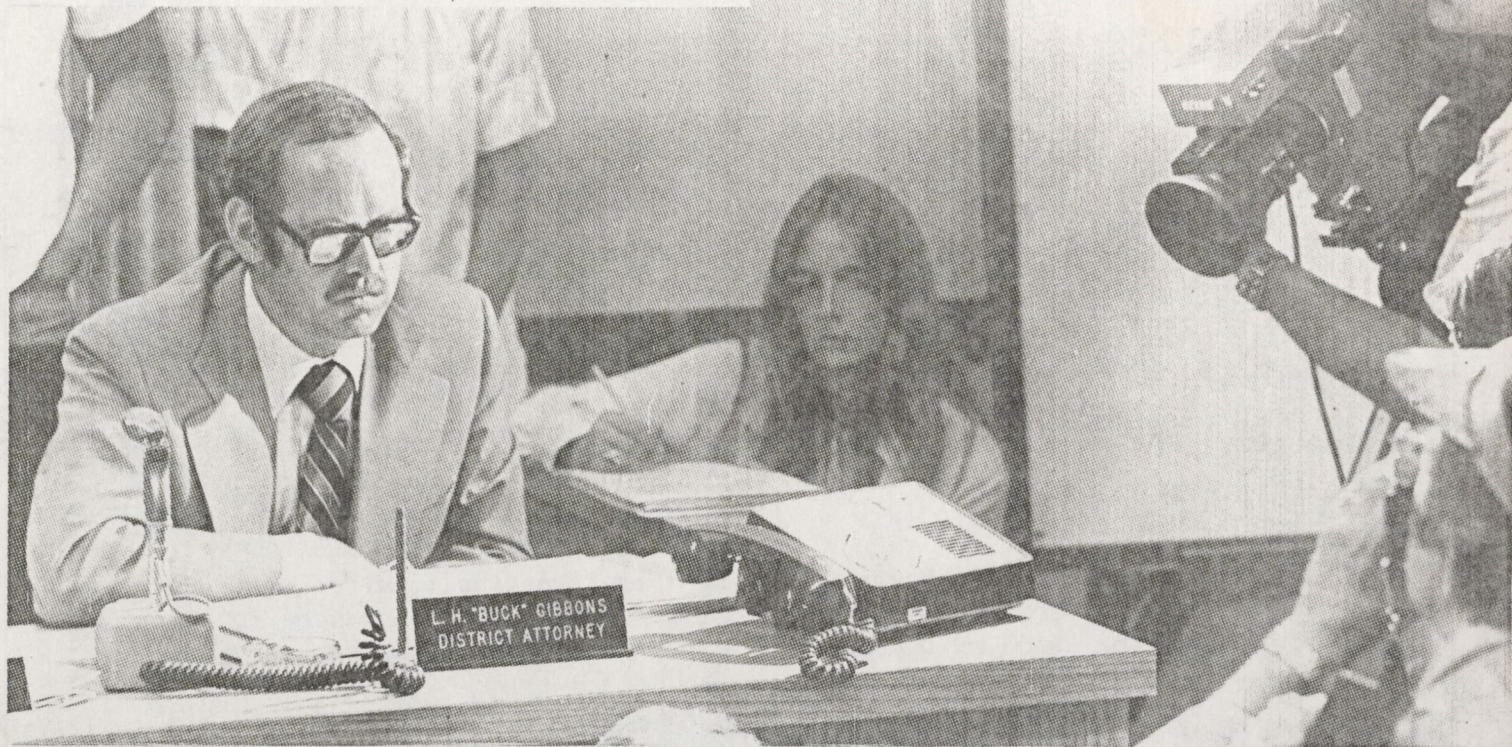
IF THE LONG FIGHT OF MANY YEARS had been as many characterized it - a David and Goliath battle - it was clearly a decision for Goliath, won almost hands-down as Inyo's negotiators seemed to cave in to the seemingly tougher talent thrown up against them by LA's Department of Water and Power.

Compounding the loss was the fact that once the "agreement" had been reached, there were those high in Inyo County's administration who apparently wanted to push through adoption of the agreement before their constituencies had any opportunity to contradict it. It may be that only a hastily organized radio campaign on the weekend before the supervisors' meeting kept it from happening. One supervisor who has yet to commit himself on the agreement said that during the stormy weekend he had

(See AGREEMENT, Cont. Page 6)

Photos: Jim Smith, John Heston

ing. Adoption of the agreement was postponed.



It was a good try; Speaking and answering questions over a "conference phone" speaker, from New York, The county's special DWP affairs counsel, Antonio Rossmann, tried to be reassuring; he had found some merit in the agreement and in the intent of the supervisors who accepted it. But he could not conceal his own serious doubts about the bottom line terms of it. Most of those present remained unconvinced that it is best for Inyo.

(Paid Adv.)

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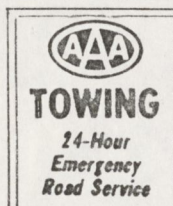
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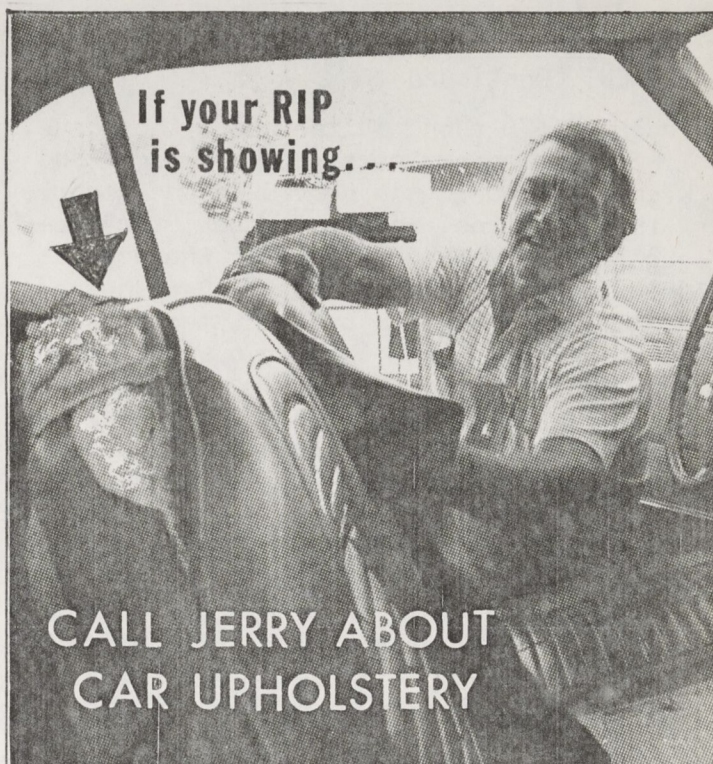
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AGREEMENT, Continued

received "76 phone calls" about the issue. Two other supervisors, Richard Engel and Richard McDonald who served on the negotiating committee, remain for now "for" acceptance of the agreement. As the week drew to a close, they continued to defend most of its content, but admitted it contained perhaps less than Inyo water-watchers might have hoped for.

Engel said the protest was something like the Panama Canal issue, that a great number of people were against it, but it was passed anyway. Informed that surveys of the past week indicated almost a solidly-formed front against an acceptance, he said that only the negotiators were aware of the subtleties, the "inuen-dos" as he called it, of the negotiating

sessions. He flatly stated that there is to be no decision or adoption of the agreement at this week's board meeting, then added, "...not that I know of now."

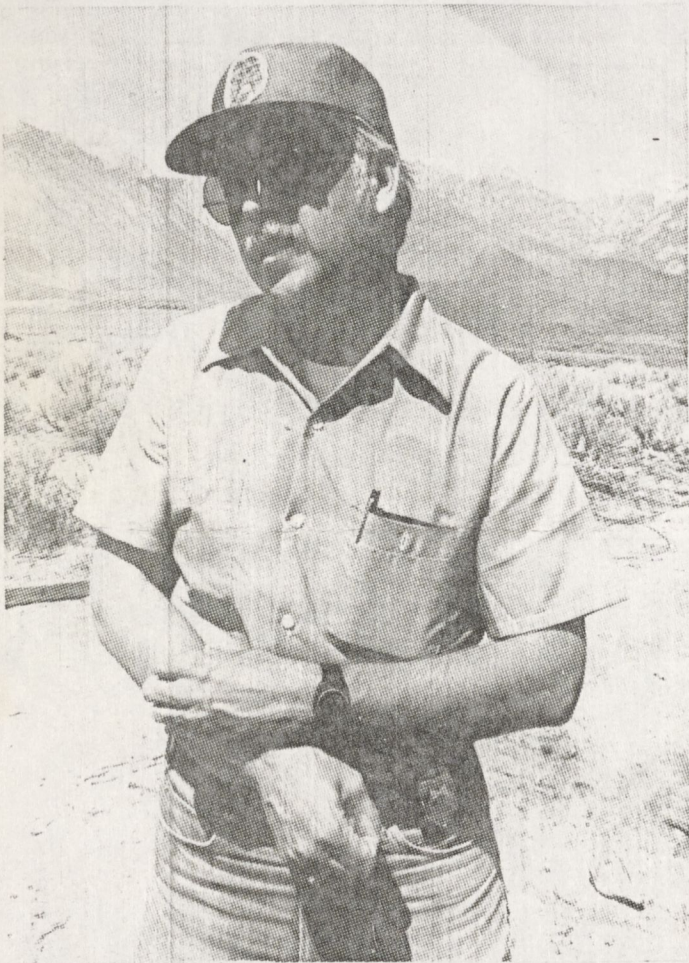
The crucial, some say "fatal," steps leading up to the week's fury, had their origins in a meeting of the county's negotiating team on the Wednesday night preceding the final "agreement" on Thursday a week ago. It was at a steakhouse near LA's Athletic Club and present were Engel and McDonald, County Administrator John K. Smith, District Attorney L.H. "Buck" Gibbons, and the county's special counsel Antonio Rossmann. Also there were the county's hydrologist, Phil Williams, and a Rossmann aide, Mike Jencks. Pleading for a basic "minimal" safeguard for Inyo's wa-

(AGREEMENT Continued on Page 8)

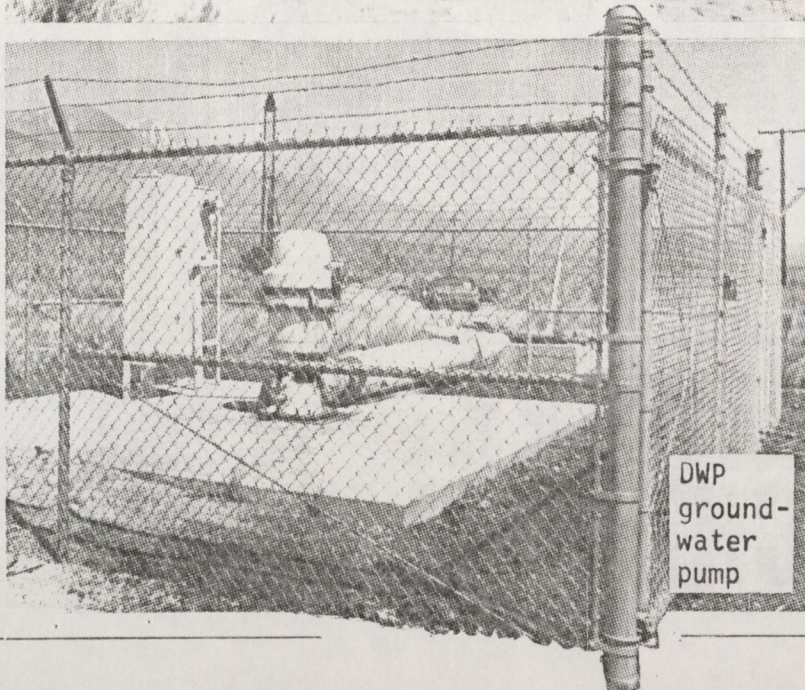
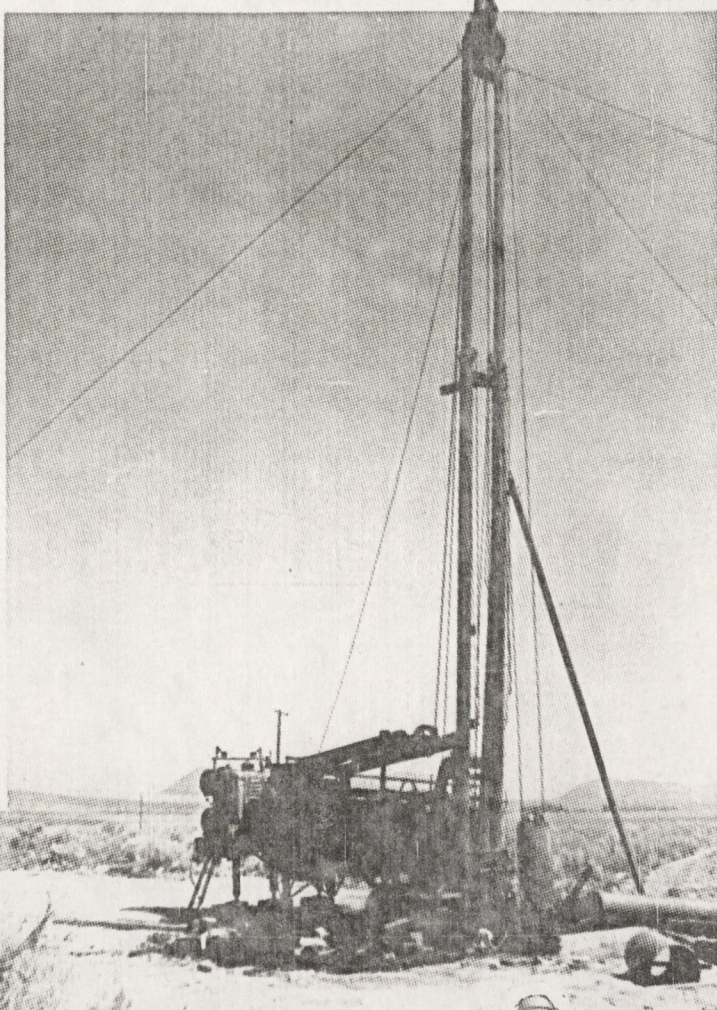
Arson investigations

State Fire Marshall Dave Wallizer and burned out DWP drilling rig

Photos:
John Heston
Benett Kessler

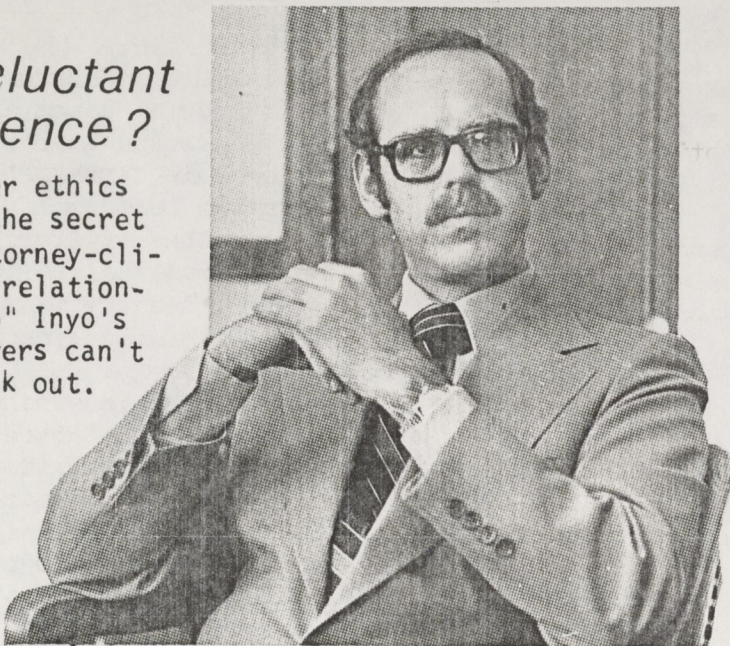


Had the DWP-Inyo cold war suddenly turned hot? Firemen at the scene said a DWP drilling rig fire was the result of unrest over DWP issues, and Fire Marshall Dave Wallizer said "It looks like more than an accident...I would be suspicious right off the bat." The fire had erupted only hours after terms of the DWP-Inyo "agreement" had been made public. DWP's equipment and maintenance man, James Snead, was on the scene with Wallizer and he said damage may run to several thousand dollars. The drilling rig is out of commission. Many people think DWP continues to drill more groundwater wells, a claim DWP denies. Meanwhile, at Lone Pine, another fire "of suspicious nature" damaged or destroyed a house two barns and an old shop on a DWP lease. The incidents indicated to some that DWP and Inyo negotiators had underestimated public anger.

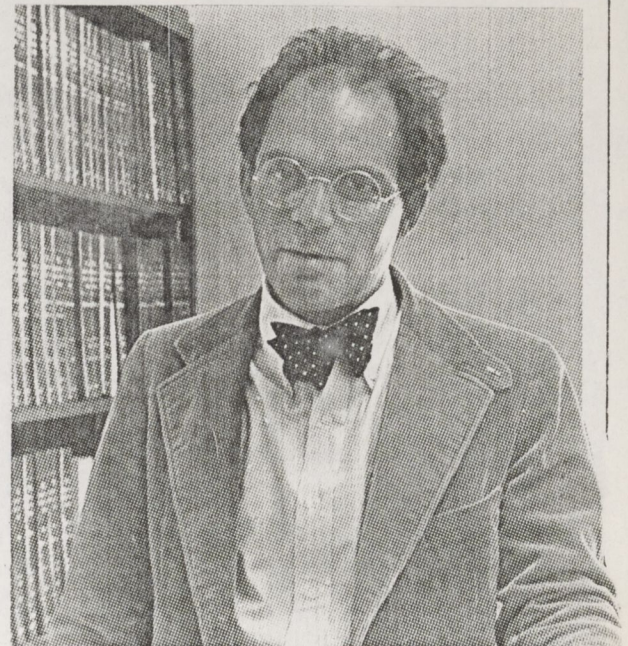


Reluctant silence?

Under ethics of the secret "attorney-client relationship" Inyo's lawyers can't speak out.



District Attorney L.H. Gibbons



Special Counsel Antonio Rossmann

They are "fighting" lawyers, and through the years of the Inyo-DWP battle have proven themselves capable and more than a match for the legal and political acrobatics thrown at them by what often appeared to be a panicky and retreating DWP. At the final session between Inyo's negotiators and the DWP, from which they were barred, it has been learned from a reliable source present at the meeting that one Inyo official reminded the department representatives that District Attorney L.H. "Buck" Gibbons is himself an elected official representing the people of Inyo. LA Councilman Zev Yaroslavsky, then snapped back that the Inyo supervisors could "control" Gibbons "in a fiscal sense," which translated means that the supervisors could bring him into line by a possible cut of the DA's budget. Although both attorneys later softened their public statements (but still fell far short of any endorsement of the agreement), they were angry and frustrated - but silent - in the days following the agreement. Each of them hinted constantly, and cryptically, that they were under the rule of "attorney-client relationship" and that they cannot reveal all that they know, or may feel, about Inyo's true position in the DWP issue. It has also been learned that on the evening preceding the final negotiating session, the attorneys adamantly insisted that certain provisions - "basic minimal safeguards" - be included in any agreement for realistic protection. As it turned out, however, none of these was included as DWP made its "final offer" bluff on the following day. In the absence of Gibbons and the special counsel from the negotiating room - on demand of DWP - the negotiators for Inyo were out-horsetraded. As the week went on, however, both lawyers remained true to the client, Inyo County, that they represented, and each declined to come out against the "agreement" in any real way, offering instead only hints that it may not be any bargain.

Inyo people: feeling betrayed

Big Pine's Enid Larson,
Lone Pine's John O'Keefe



Disappointed, resentful, the crowd attending the supervisors' meeting showed their anger. Enid Larson blamed the county defeat on County Administrator John K. Smith.

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AGREEMENT, Continued

ter future, the attorneys urged strongly that the agreement include at least a demand that might control groundwater pumping - a "water pumping rule curve" specifying just how much could be taken from Inyo's fast-dwindling ground aquifers, also a guaranteed assurance that DWP will be prepared to present a new environmental impact report at the end of five years. All agreed.

Next day, however, when Rossmann brought up these points, he got no response. One source - one of several who either leaked, tipped, or outright stated what went on in the sessions - said that Inyo's officials were "almost apologetic" that the issues were brought up. Engel in fact said before the gathered Inyo-DWP groups something to the effect that Wednesday was the first time he'd heard of it.

But if things were then looking bad for Inyo, they got increasingly worse as the rest of the story unfolded in the week that followed. From several sources it was learned that long ago at the beginnings of the "negotiating sessions" Inyo had never drawn up terms or goals it might hope to achieve through "bargaining." Engel claimed there was in fact a memorandum of proposals - then admitted that it had never been presented to DWP. DWP in effect took the initiative and held it to the end, and the document it first presented was essentially the one finally accepted by the Inyo people.

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The ground rules for the negotiations had been firmly stated - by DWP - at the outset: The press would be barred from meetings and negotiators would make no statements nor would there be any "leaks" to the media. (The rigidity with which DWP enforced the "press" condition came hilariously to light in Los Angeles just after the final session: Two DWP helicopters soared quickly aloft trying to find the Inyo negotiators' car in LA traffic after DWP learned that the Inyo people beat them to the punch in furnishing the agreement to the Los Angeles Times.) Another condition, finally, was that the lawyers be barred from the final session. That's what happened, with the DWP people fully aware of the minor league team that was left to fight the final battle for Inyo.

The scenario setting was right, too. At the outset of the last session, DWP announced impatiently that "We have to hurry," that a commissioners' meeting was awaiting the participants. When Inyo's lawyers became insistent that two "minimal" safeguard provisions be included, DWP General Manager Louis Winnard said "I think it's time for the attorneys to leave; as if on cue, the DWP lawyers stood up and left, with Inyo's following closely behind. And so it was that Louis Winnard can order the departure of the Inyo County district attorney, or at least he could in the absence of backing from Inyo's other negotiators. From that point on, there was little argument left, particularly in the carefully staged take-it-or-leave-it-we're-in-a-hurry atmosphere created by DWP.

The game was all played out on the top floor of DWP's main playing field - "home"

ground - the DWP building.

As one observer woefully stated it during last week's ongoing recapitulations of what had suddenly happened: "It's like Inyo was holding four aces all the time, and DWP had three deuces, and our side tossed in the hand."

All, however, is not lost. Not at least as the week drew to a close. An almost mob-like reaction as the news got out gave pause to the supervisors who may have hoped to push through the adoption of the agreement at the week's board meeting. According to the L.A. papers of the weekend, they'd bring it up for the next week, too.

Some of the "final" decision may rest with the mood of the crowds expected to attend two hastily-called "public hearings" at the first of the new week - and may also depend upon the reaction of the crowd that may once again mob the halls and boardroom of the courthouse when the supervisors go into session again in the new week.

The last session was certainly stormy enough. The supervisors arranged for the people there to talk directly to Attorney Tony Rossmann via a long-distance set-up to New York. Most of Rossmann's questioners quickly discovered that he was less than enthusiastic about the county's position in the matter although he tried bravely to the end to remain loyal to his "client," the Inyo County Board of Supervisors. About the best he could turn up with was some rhetoric dredged up from his past experience about how he once heard his mother say "Well, if you have a lemon, then make lemonade," or, in other

(AGREEMENT, Continued on P.16)

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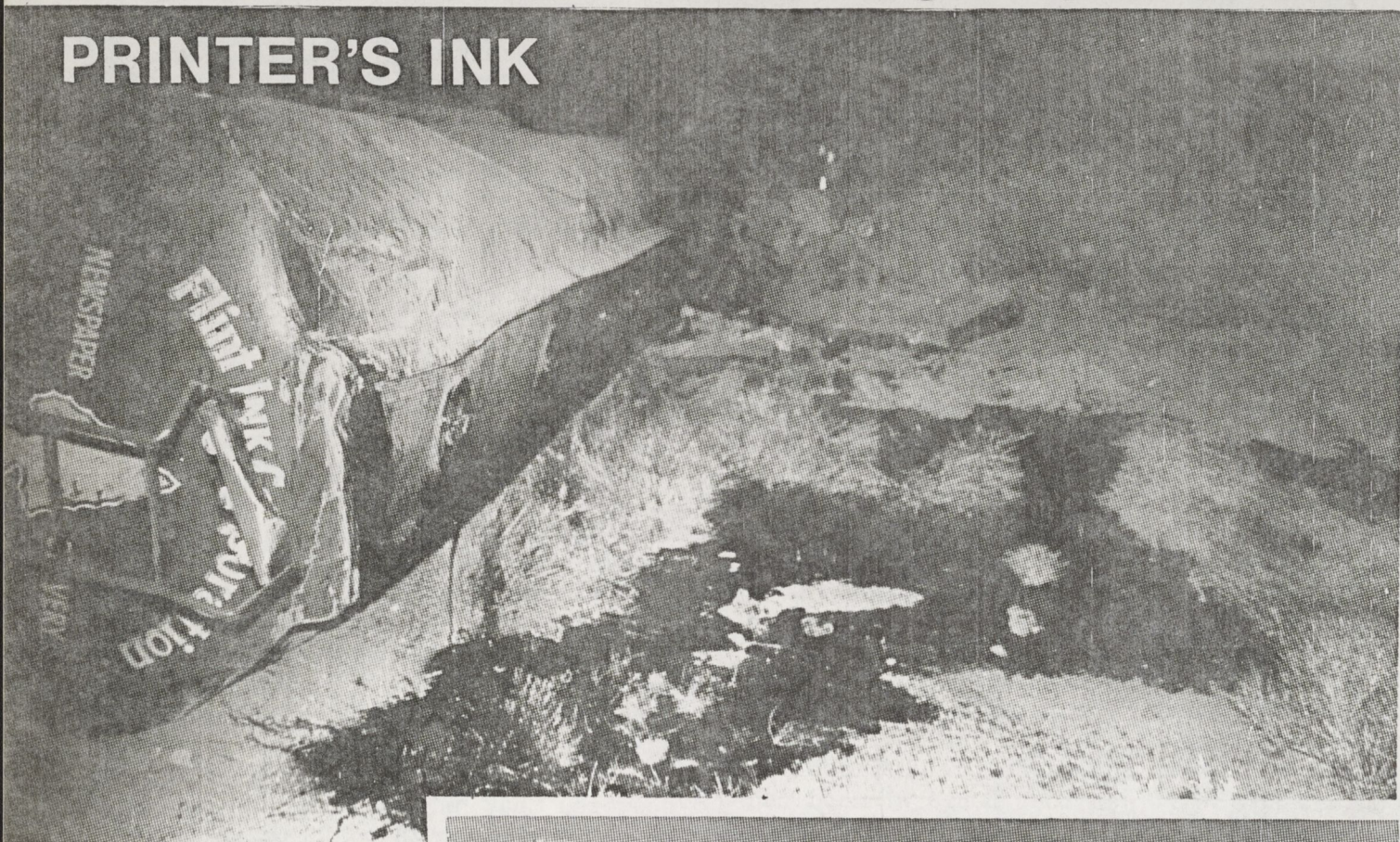
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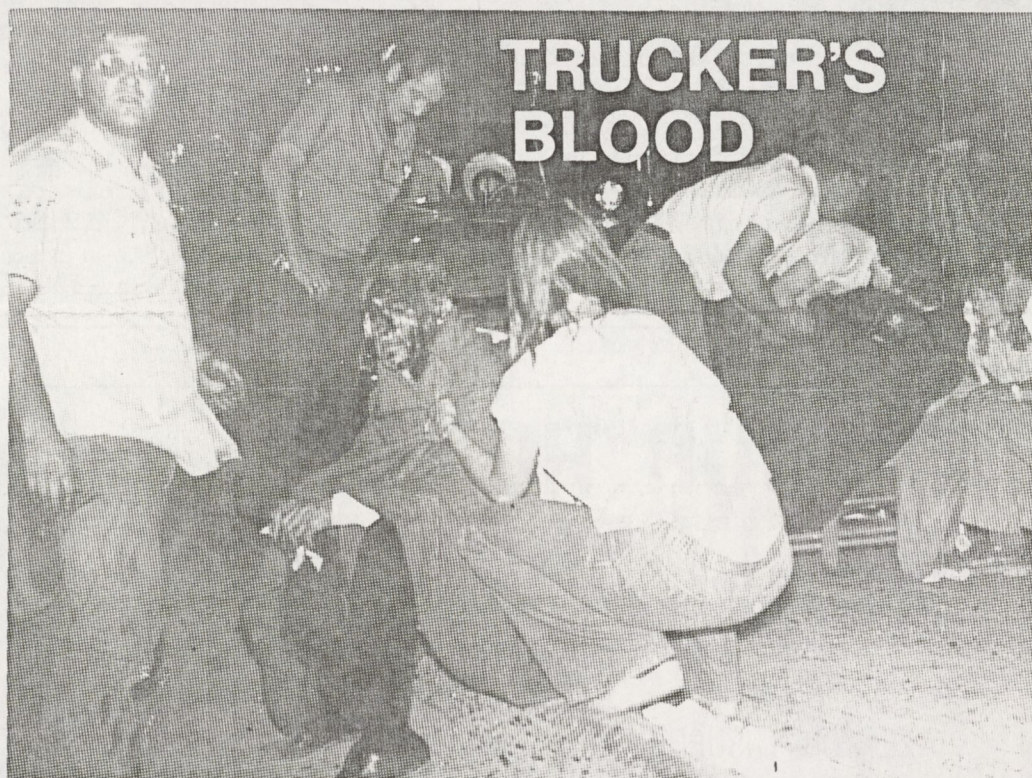


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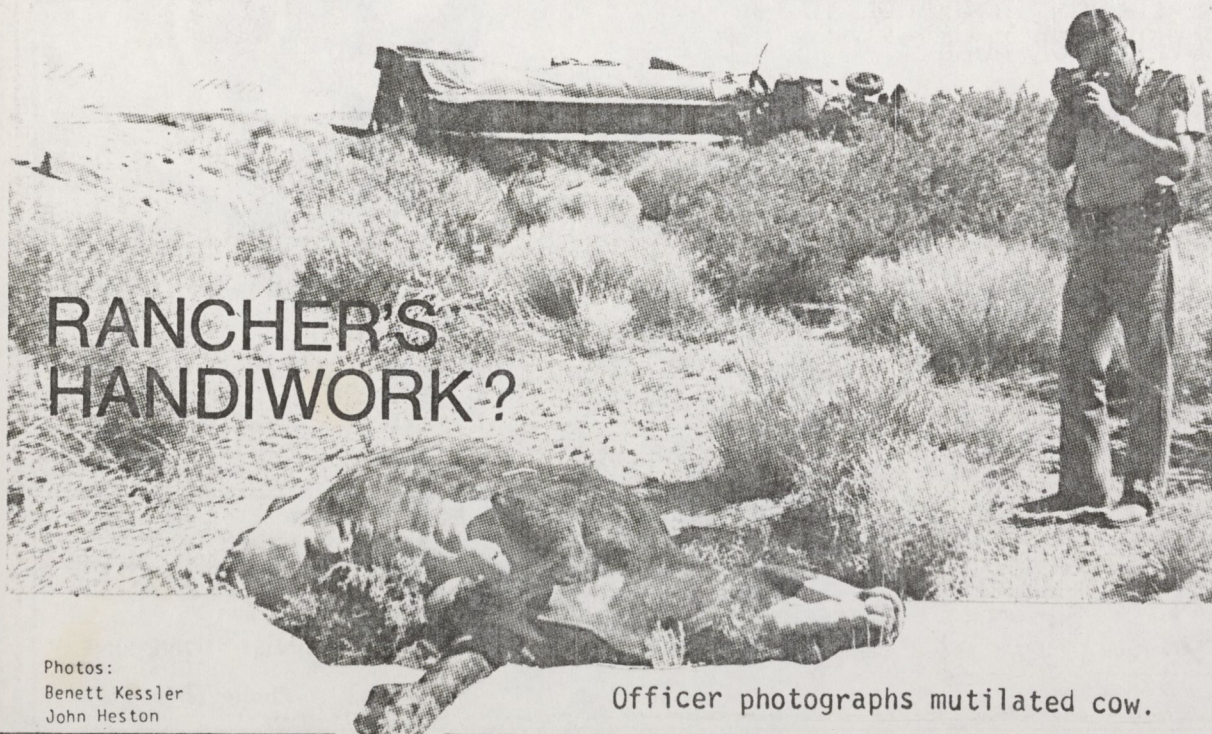


It was a mess of red and black, spilled ink and blood, compounded by the deliberate mutilation of a cow after the tanker truck-trailer (filled with black ink) had hit it as it wandered loose on the highway; it took days for Caltrans to clean it all up. The two truckers were pulled from the demolished cab, to be carried through gallons of spilled ink and await aid from rescuers. Warnings had been sent out hours before that three cows were loose on the highway, but the owner failed to turn up until the truck plowed into disaster.

TRUCKER'S BLOOD



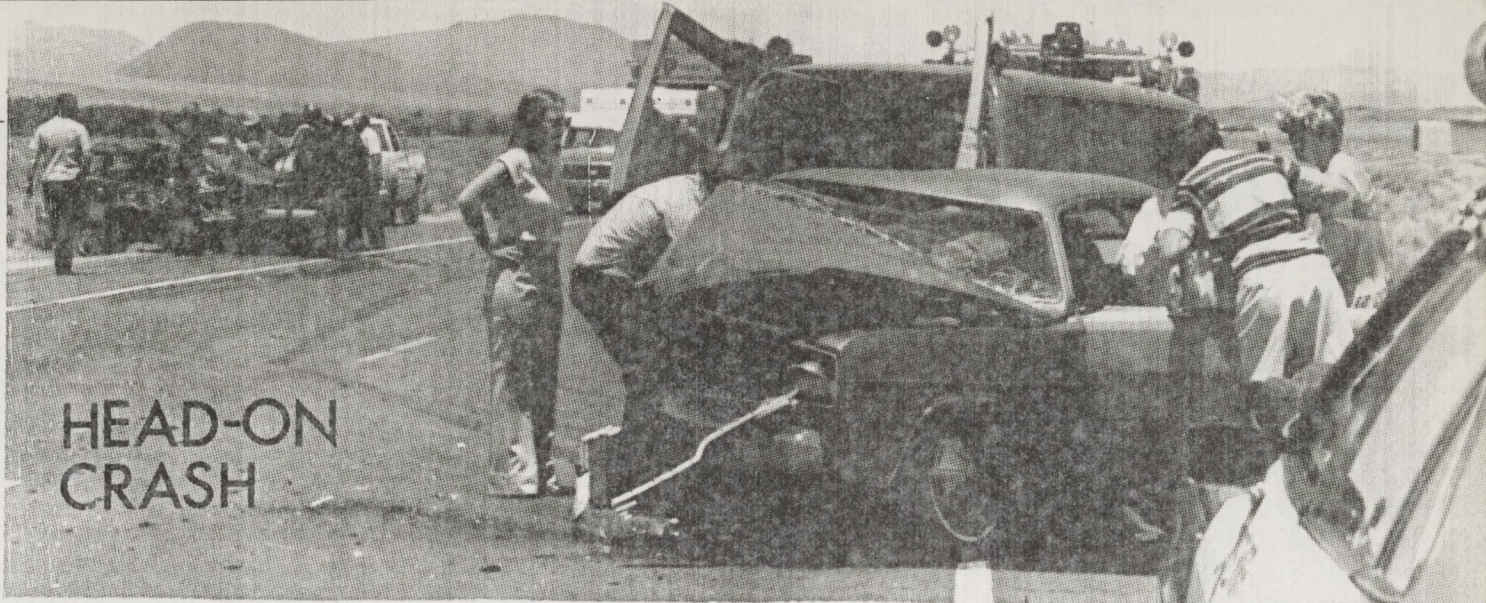
RANCHER'S HANDIWORK?



Next morning, a highway patrolman found the cow mutilated; tagged ears and identifying brand severed. The entire hind-quarter was also taken. "He didn't want to be identified; he might have been held responsible for the wreck," said the officer.

Photos:
Benett Kessler
John Heston

Officer photographs mutilated cow.



HEAD-ON CRASH



Elderly crash victim is removed from wrecked car
She wanted "a picture of it, to take home to Spain"

From her hospital bed an elderly woman who with her husband was visiting the area from Spain, asked for pictures of the accident that seriously injured them both. The crash occurred about half a mile from the scene of the mishap shown on the opposite page. Also injured: A small Bishop boy riding in the other car.

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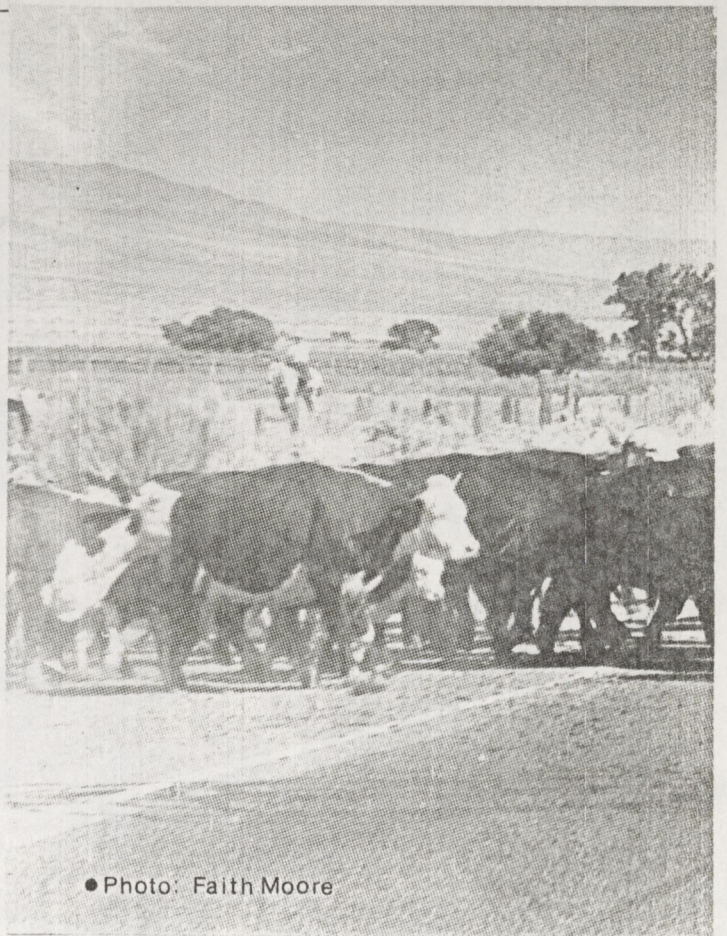
THE ANNUAL TREK TO THE MOUNTAINS GETS UNDERWAY - A HEARTY MIX OF WORK AND FUN - BUT THIS YEAR A COWBOY IS MISSING

FOR DIE-HARD WESTERN BUFFS, and for most of the men and women involved in it, it is an annual ritual, a practical one at that, reassuringly providing evidence that after all the Old West is not yet dead. It is the annual cattle drive into the mountains and it remains for all who see it or participate in it a pleasant reminiscence of days gone by. In desert-dry Owens Valley, it is also a costly, time-consuming practical necessity. As the early spring grass withers beneath the June sun, grazing land no longer is able to support the county's thousands of head of cattle; then the cattlemen round up their herds - and head westward and upward with them, into the cool mountain passes.

There are several separate drives with private herds numbering 400 to as many as a thousand head. Once the cattle are in the mountains, the cattlemen will pay about \$2 per animal per month to the Forest Service which has control of the highlands.

The trail drives - Some say these of Inyo are "the last" of the old-fashioned drives - require many of the years-old traditional implementations of the past: chuck wagons, pack animals, camping gear.

A favorite gathering place for the drives in the southern part of the county is the area near Olancho, and the picture at right depicts an Olancho crossing north of that community



•Photo: Faith Moore

As cowboys block traffic, a herd of Inyo cat

where early this week, the "Lacey Herd" was driven over the highway and into the foothills beyond.

For Inyo County, cattle production is a major factor in local economics; about 10,000 head are shipped to market from the valley each year. In the past two years,



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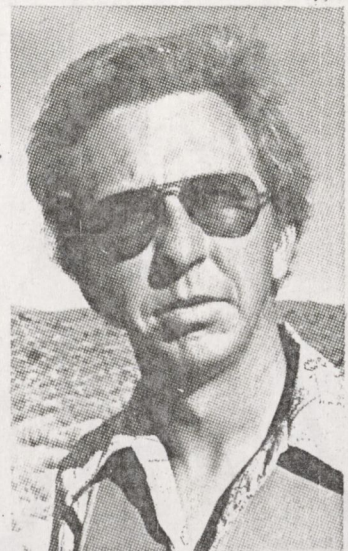
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Inyo cattlemen have attempted to rebuild the herds decimated by a three-year drought.

For the cowboys and their friends, the drives offer a hearty, but hard-working, respite from the workaday world of modern cattle-producing. In them they find comraderie

and a chance to renew friendships. This year, one of their best friends was missing: Bill Thornburgh, now thought to be the victim of murder, was not among the dusty riders. "We miss him," said one cowboy. "You can sure tell he's not here. It's not the same."

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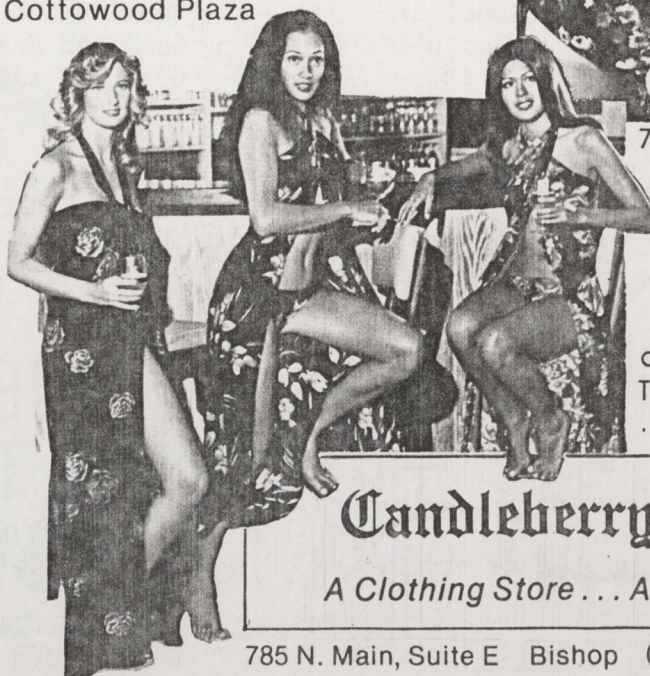
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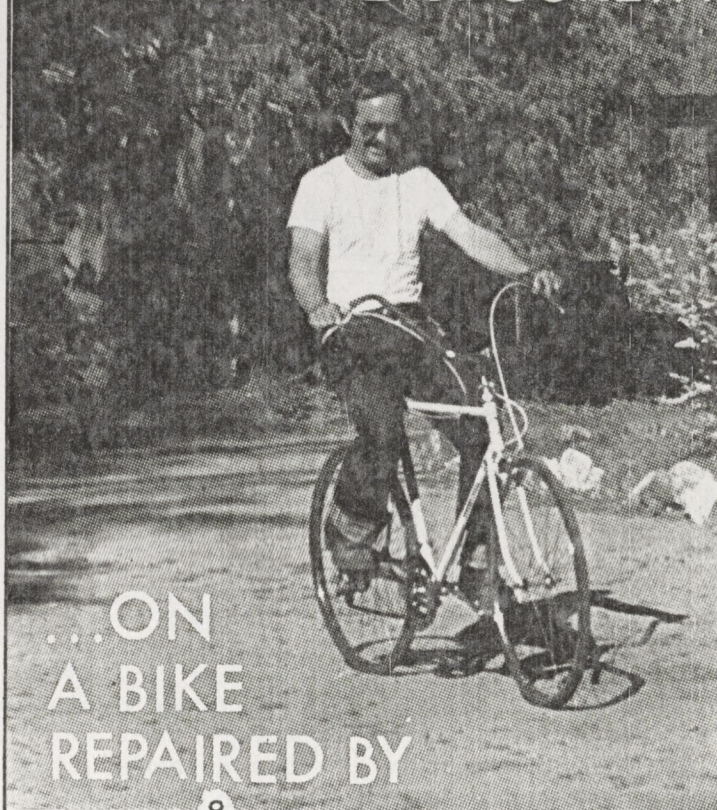
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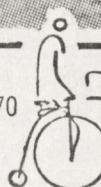
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AGREEMENT, Continued

words, if you're stuck with the agreement then try to make the best of it. He urged that the supervisors pass a groundwater ordinance giving them control of pumping, the hastily answered a question about that, admitting that the DWP would probably go back to court to contest the ordinance, tying everybody up in lawsuits again.

To the concern of some pro-agreement supervisors, Rossmann summed up: "The agreement is a weakness in the way that DWP was able to manipulate it...to take charge... They got the attorneys out when their engineers were more competent than many lawyers are. But I don't necessarily see it as a sell-out; it's not too bad when you're dealing with two parties that have reason to trust each other."

But after decades of mistrust growing out of endless lies (The "Chinatown" story is alive and keeps on going!), most people of the valley feel deep fears, fears that their enforced role as colonials will deepen in the years to come.

In spite of the temper of the board meeting, in spite of pointed questions - In spite of hell-and-high-What?-ers - the negotiators, Engel, McDonald and Smith stand by their acts, although they defend them less stridently than before. Smith had said "I think it's a big step that the City of L.A. has made to develop a better relationship with Inyo County and with the state concerning a water management plan." But he tempered it that statement somewhat by adding: "It's not as

good as we want, but so much better than, say, three years ago."

How so "better"? Three years ago, DWP was fighting back, but was clearly on the run, and in recent months (with state agencies hoo-hawing its EIR efforts) has taken actions deemed by many to have been prompted by out-and-out panic. Was Inyo afraid, simply, to move in for the kill? After 70 years of DWP oppression?

Asked if the agreement depends upon "good faith" - a much-used word heard from the negotiators in recent days - Smith said, "Any agreement depends on a great degree of good faith and they (the DWP) have an awful lot of it..."

A large number of Inyoans, officials and residents alike, would take issue with that. In fact, Smith himself once told a Los Angeles radio reporter not too many months ago that he "couldn't believe anything DWP would say." But that was back in the days when hard-lining DWP seemed to be the appropriate political posture and Inyo County was even considering hiring a public relations man to tell the world "Inyo's side" against DWP untruths.

Engel expressed "surprise" at the turn-out attendant upon the Tuesday meeting, and he admitted that he had "discouraged" people from coming to the meeting. "We weren't going to make a decision anyway," he said.

Hmph!, said some.

The meeting went on through the afternoon. Television people had flown in all the way from Los Angeles to turn their camera's eye on the outbursts - and also on a burned-

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out DWP drilling rig that mysteriously caught fire hours after word of the agreement got out. (Some media people in Los Angeles who had dealt with DWP over the years, expressed unabashed amazement that Inyo County could have "bought" such an agreement, and even the L.A. Times saw it as a clear-cut L.A. victory)

So who needs it?

Nobody.

But that is not to say that Inyo may not need some sort of agreement with DWP - one with the teeth in it to bring DWP into a proper relationship with the land it holds to so dearly here - one perhaps that turns DWP-as-provider-of-water-and-power into a servant and dethrones it as master. That at least is the view of most county residents bold enough to state their case, and among these there seems now to be an increasing determination, perhaps to the dismay of supervisors who uphold the agreement.

So what is the future of Inyo's water situation? Fate may hang by a single supervisorial vote, barring sudden changes of the Engel and McDonald hearts. At last count, two supervisors, Muth and Johnson, said they won't support the agreement as it now stands. But now observers fear one of these may accept a patch-up here and there - the Band-Aid treatment.

For most in Inyo - according to surveys taken during the week - the Band-Aid won't be enough. Not in a county that has bled to death for years.

TELLING IT LIKE IT IS...

Hear Benett Kessler, KIOQ-FM 100 News.

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News Briefs

BURROS AND BUREAUCRATS, A CONTROVERSY AT DEATH VALLEY; THE SEARCH FOR WILSON CONTINUES; LAWSUITS AND COUNTERSUITS IN BUILDING ISSUES; AND VANDALS, TOO, MAY WIND UP IN COURT.

WHETHER OR NOT THE RUMORS ARE TRUE - that the Park Service had cut off all the water sources for Death Valley's proliferating burros - it looked like hard times ahead for hundreds of animals. And matters were not a lot better for the Park Service's harried personnel; they were getting it from both ends, from bosses in the Interior Department demanding a solution to the burro population problem, and from a public that is perhaps inordinately fond of the "cute" animals.

"I don't know what to tell the people anymore. ...Anything I say ends up to be a lie because I have been led-on. I guess the secretary of the interior is responsible," said one Park Service man who asked - fervently - not to be identified. Such is the agonized frustration of the "burro problem" in the National Monument. The secretary of the interior, Cecil Andrus, now has in hand an environmental impact report offering several "solutions" to the problem that has been growing out of hand for 40 years. It has become, in the words of another Park Service employee, "the question of

the century."

But the latest issue to strike so deeply into the hearts of the pro-burro faction is the report, so far unverified, that Park Service people had cut off the water sources of the animals in an effort to get around the order that prevents shooting them.

There were widespread complaints - and reports of burros impaled on fences as they attempted frantically to reach water - but few of the reports could be verified. A Park Service resources management specialist, Pete Sanchez, now estimates that some 1800 of the wildly-breeding animals now populate the Death Valley area and that they have be-

come nothing less than a menace to the entire ecosystem, literally eating themselves and other animals out of house and home.

The superintendent of the monument area, George Von der Lippe, said the voracious burros kill off vegetation, foul water resources, and cause land erosion... No matter, the burro-fanciers don't want them killed off, which

(See NEWS BRIEFS, P.20)



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NEWS BRIEFS, Continued

is one of the recommended alternatives in the Secretary's EIR. Andrus called the burro situation a "critical issue," But it may be one depending largely upon the outcome of a similar stalemate, and hearings to get input, in Arizona's Grand Canyon burro problem.

As to the charges about the Park Service people arranging for the burros to die of thirst - in Death Valley an agonizing death), - Sanchez had an angry response: "That's not true. We are not 'thirsting them to death' like one letter claimed. That would be in-humane."

The Park Service's humanity factor notwithstanding, something was going on, something had started the stories. These may be explained this way:

Sanchez and his people have in fact cut off three water sources - three out of 300 springs in the area - by fencing. The fences are made of tall pipe spaced wide enough apart to permit entry by the Big Horn Sheep (threatened in the ecological competition for water and forage), but too narrow and too high for the burros. Sanchez said the fence is working, but that the Park Service has no immediate plans to build more. One resident of the area had reported that a burro - madly athirst and looking for water - had desperately attempted to leap the fence and fatally impaled itself. But Von der Lippe said that story arose out of another incident, at Warm Springs Canyon some weeks back: A burro tried to leap a fence and got caught, "but that had nothing to do with the Park Service's experimental 'enclosures' of water."

Maybe not, but a lot of people refuse

to buy the Park Service's explanations, any of them, and the letters and phone calls continue unabated, angrily expressing the burro-loving public's anger.

But one thing was clear: The burros will face hard times. With no natural predators, and no area for relocation (Who needs them?), they will be facing a reduction in their numbers, either by killing, or through a perhaps harsher means: starvation, eventually.

IF FUEL FOR BURROS WAS SHORT, so it was also for the host of "Independent Truckers" around the nation - and for the tourists that feed the valley economy. Some potential vacationers are still fearful of driving far from their home base down south. They get as far as Mojave and "Four Corners" where they run into gasoline shortages, unaware that plenty of gas awaits them in Inyo and Mono Counties. As for the truckers, very little of California has been touched by the strike - except for produce growers faced with plowing under certain crops that otherwise would have been trucked out of state. Locally, the truckers continue to deliver goods (They will drive within state borders), and no shortages have turned up in Inyo retail stores.

THE THORNBURGH CASE REMAINS UNSOLVED, and its chief suspect, Steve Wilson, remains out of reach of the murder warrant issued soon after the disappearance of Rancher Bill Thornburgh. But Wilson's pickup truck has been found in San Diego, abandoned. The Red Datsun has now

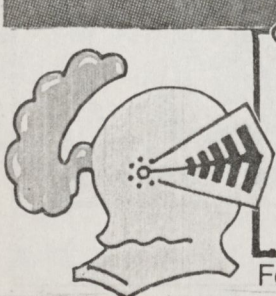
(NEWS BRIEFS continued, P.23)

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- PARADE, Main Highway..... 10:00 A.M.
- SOFTBALL GAME, Johnson Field.... 11:30 A.M.
- HORSE/MULE SHOW, Smith Arena.. NOON
- CHILDREN'S GAMES, Dehy Park..... 2:00 P.M.
- BARBECUE, Dehy Park..... 4:30 P.M.

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- EXHIBITS • DISPLAYS • GHOST TOWN • MUSEUM

NEWS BRIEFS, Continued

been turned over to a San Bernardino Sheriff's Office laboratory for study and, as Inyo officers hope, perhaps the discovery of some clue that may lead to answering the perplexing question of what happened to Thornburgh. The search for Wilson, 36-year-old estranged husband of Thornburgh's daughter Cal-lie, continues to center in the San Diego area, and bail on the warrant was raised from \$100,000 to \$250,000 - "strictly for security reasons," said Inyo's Sheriff Floyd Barton.

"IT COVERS EVERYTHING WE'RE LOOKING FOR," said Mike Ross, the attorney for the Inyo Property Owners Association who recently took the county to court with a lawsuit on inadequacies of the county's "general plan." At a court hearing, the lawsuit was continued, but the court imposed some limitations on the county's ability to issue building permits on at least two major projects. Ross agreed however that the court order "does fall short" of the IPOA's original goal: to set a moratorium on all county building. Now it is doubtful that any total moratorium will occur, and Ross may be expecting less. "The whole nature of the thing is compromise," he said. "The only chance a moratorium might occur is if the county's extension with the state office of planning and research does not work." He said any OPR decisions would "supercede the lawsuit." The extension is a necessary ploy of the county administration which remains embarrassingly delinquent in its statute-demanded update of the "general plan." That plan remains - as it has for three years - languishing in the ponderous morass of paperwork and indecision in the county's planning department. Meanwhile, the two projects now banned in the lawsuit - an expansion of the Cal-Tron Corporation, and a proposed condo-



Cal-Tron's Dan Pool and Attorney Peter Tracey
Hanging fire and wading in red tape

minium in West Bishop - are hanging fire. The court okayed appeal hearings on both, in spite of the order that building permits not be issued. In the Cal-Tron matter, the supervisors decided to reject the appeal, but hedged in the condominium matter by sending it back to the planning commission for a review. The planning commission fielded the ball and threw it back again at the supervisors - with their original approval of the

project.

BUT A LOT OF PEOPLE - BUILDING CONTRACTORS and developers in particular - were not buying the ongoing "general plan" controversy or the ongoing machinations of the planning department. In recent days, a Bishop attorney, Mike Ingalls, confirmed rumors that linked him with a proposed lawsuit that would be filed jointly by the builders. "Some of them have discussed this with me," said Ingalls. "So far, eight people have contributed money." He declined to say how much. "There are two different types being damaged," he went on. "Some would seek an intervenor suit, others separate lawsuits." Ingalls said filing such a suit would await a possible appeal in the other suit by the district attorney. "We'll stay out of court if we can," he said.

AND STAYING OUT OF COURT MAY BE THE INTENT - wishful thinking perhaps - of some local vandals. Of late, they've been taking their toll of county park and recreation facilities - to date about \$7000 worth - but the odds are even-on they'll be caught if the park department's increased watchfulness pays off. Jim Angelo, the Inyo parks and recreation director, says he has a "large vandalism file" - reports of trees mutilated, barbecue pits torn down, littering and destruction of grass areas - of what he calls "needless, stupid waste." Fines may range up to \$250 in such cases - when the vandals are caught. Particularly vexing for the parks employees: one case in which trees were destroyed after more than three years of careful, personal nurturing by employees.

"THE OLD" GRAND JURY will be in session until July 10, but that's a mere technicality. For all intent and purposes, it has finished its work and the 1979-80 jurors were selected late in the week. Among them are 16 from Bishop: Donald Acton, Sr., John Boothe, Frank Brockman, Frank Carr, Fred Carter, Ken DeBoy, Marian Dibble, William Gres, Samuel Harrison, Kathleen Miloradich, Gerald Moleton, Doris Partridge, W.R. Snyder, Russell Sweetland, Nick Vandervalk and Nettie Yeager;

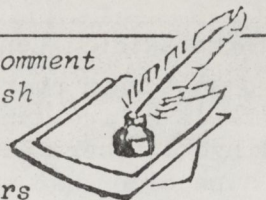
And three others: Mary DeDecker, Independence; Paul Lamos, Lone Pine; and Rowland Major from Big Pine.

Still unreleased is the report of the efforts of the present jury, a report said to be somewhat more low-keyed than those of past years. A spokesman for the jury, Howard Knox, said that all issues presented to the jury were investigated, however. The report is complete, but not ready for publication.

IT MAY BE THAT INYO ASSEMBLYMAN PHIL WYMAN is taking a hard look at the Inyo supervisorial proposal to create a local gas tax to help fill out the road department's Jarvis-slim budget. Wyman is not known as a tax-eager representative, but an aide, John Lovett, said Wyman is "studying" the proposal. Legislative action at the state level is necessary before counties can tax gasoline locally, but County Administrator John K. Smith said "something" has got to be done for the road department where as he said "finances are out of balance." Smith said the tax would be paid primarily by transients, 70-80% of Inyo road users, Amounting to about a half percent.

FORUM your view

The Inyo County News-Letter welcomes letters and comment relevant to current issues. The editors will publish here those views concisely stated and considered timely. Letters and statements should be address-



ed to PO Box 531, Independence 93526. The editors remind News-Letter's readers that the publication of a letter on this page does not necessarily imply either the editors' agreement with its content or their guarantee of its accuracy.

"TRAPS AND SEEDS" IN THE DWP AGREEMENT: A LAWYER'S VIEW

Eastern Sierra News Service:

I am still recovering from the shock of reading in this morning's L.A. Times (Metro Section), about the proposed five year study agreement proposed by the Los Angeles Department of Water and Power. Along with my dismay goes the obviously "soft" attitude of Richard Engel, Chairman of the County's Board of Supervisors — Who does he really work for or who has he been allied with in the past?

As a lawyer, licensed to practice in California for over 49 years, the proposed agreement (which I have read in full text), is not worthy of the designation of Agreement. It is literally full of traps and seeds for all kinds of controversy in the realm of interpretation.

The instrument is without question a real trap for the unwary and would produce endless arguments and no doubt litigation as well, over interpretation and meaning. Essentially, there is nothing specific in the document which isn't capable of a charge of "double entente."

If Inyo County allows itself to be drawn into such an agreement (Sic!), it will rue the day, and under NO circumstances will the people of Inyo ever recover even a frac-

tion of what they would be giving away.

It behooves all of our citizens to voice vociferous, united and continuing objection to this latest attempt by DWP to introduce a Trojan Horse into our midst. We MUST all let our supervisors know our feelings and that disloyalty to the County and its citizens will be appropriately dealt with at coming elections.

— William S. Scully
Bishop

(Editors' note: News-Letter finds itself in agreement — in detail. According to the best and most reliable sources in and out of the "negotiating sessions," Inyo County's negotiators were up against some real pros who knew what they wanted and how to get it. News-Letter seriously doubts the wisdom of such closed-door sessions, from which the media was barred, and must assume that everybody had something to hide. As for the re-election of the negotiators, or the implied pressure thereon, it has come to light that the people involved may not be concerned. News-Letter believes that the "agreement" should be discarded out of hand, that it goes far beyond mere uselessness and into the realm of out-and-out danger; and that the supervisors and the county administrator take up a hard-line on any DWP issue.)

— Alternatives to meters? —

— ORGANIZING FOR ACTION —



Distressed by proposed water bills that ran several hundred percentage points above what they've been paying on the "flat rate," many Inyoans began looking seriously to alternatives. The "water meter" fight appeared to gain a life of its own aside from other trouble with the (to them) oppressive DWP presence in the county. In a series of community meetings organized to a great extent by Ken and Lillian Nelson (at left), county water users looked into such questions as:

Feasibility of regaining ownership of local water systems;

Bringing DWP under control of the Public Utilities Commission;

The problems of regaining (along with the water systems) the water rights that would be necessary to feed them.

For now, there remain more questions than answers, but the well-attended meetings pointed up once again the increasing displeasure of the valley's residents with LA's Department of Water and Power. "We can't live with them anymore," said Nelson.

Photo: John Heston

Notes from B.K.



BENETT KESSLER

DUANE GEORGESON, ONE OF THE DWP'S NEGOTIATORS IN THE "AGREEMENT" (You've heard about that, haven't you?), sat in the bar at Whiskey Creek Thursday night, drinking a beer with a friend (The friend is a new DWP official for Inyo County) and he was very happy and content with DWP's hands-down win over the county. With a knowing grin that could only have been based on some confident and private knowledge that our supervisors may buy the agreement, he fairly reeked with the satisfaction born only of certainty. He got up and left when some questions were asked, leaving an unfinished beer on the Whiskey Creek table. (After all, there's nothing in the books that say that the victor must drink, or talk, with the vanquished.) Duane and some of his other cronies have of late been making the rounds of the Inyo nightspots; a week or so ago, they turned up at the local bop-and-disco shop, Mule City. Asked to dance, Duane said "I haven't had enough to drink yet."

OUR NEGOTIATORS (I think they are "our" negotiators) were out-bluffed from the start. In the first place, they went into the "negotiations" on DWP's terms, playing by DWP's rules. They had no clear plan or terms of their own (Well, they had drafted a few items, but they never presented them), and it was DWP's game - and DWP's show all along (Scenario by the city council; Script by Louie Winnard; Direction by Winnard and Duane Georgeson, with the water commissioners acting as grips, script girls and production assistants. Every good show should provide credit-lines, y'know).

HERE, FOLKS, IS WHAT WE COULD HAVE GOTTEN, if of course we'd had some unity, some direction, and some leadership of our own:

- *Meaningful reduction in groundwater pumping
- *Representation on the LA board of water commissioners
- *A continued "flat rate" for our own water consumption, or vastly reduced rates
- *Control of DWP under the Public Utilities Commission
- *Guarantees that DWP's properties would be leased on long-term bases
- *Guarantees that a large number of DWP properties would be sold into private (and productive and taxable) ownership, etc.

AND HERE, FOLKS, IS WHAT WE DID GET:

- *More assurances (not in writing) of "good faith"
- *The promise of a "study" (more meetings, more conferences, more expense accounts for the county officials, more words, *ad infinitum*, *ad nauseam*, and more groundwater pumping) that may - or may not - lead to a water management plan to which the DWP does not have to agree unless it pleases them and their water production ambitions.

I AM MAD AS HELL, and you should be, too.

ONE OF OUR VERY PLEASANT PEOPLE LISTINGS IS BISHOP'S BOB ALLEN. He's just got to be the best shot in the county. We learned last week that out of 1200 competitors in a national trap-shooting meet, he showed in the No. 3 spot at the end of the meet, but was holding first place as he ticked off the first 600 shooters. Allen is also always on-target as a friendly outgoing type. Ditto for his wife Bonnie. Our congratulations.

WENT DOWN TO THE FIRE HALL LAST WEEK TO WATCH THE PEOPLE THERE working on the fireworks display they've planned for the Fourth of July. The local firefighters and rescuers turn over the money they make as firemen to foot the bill for the show, not to mention the hours they donate. Last year, they only "broke even," and costs this year are high. (They could use a donation or two.)

ESTABLISHMENT JOKE OF THE WEEK (From Radio man Jon Levin):

Q: How many WASPS (white, anglo-saxon protestants) does it take to replace a burned out light bulb?

A: Two - one to mix the martinis, the other to call the electrician.

WORD HAS IT THAT JOHNNY JOHNSON (The only supervisor who states flatly that he is against the DWP agreement) has something up his sleeve. We heard that the reason he is against the agreement - other than for the obvious ones - has not been brought out yet, but that he'll speak his piece "when the time is right."

THE RUMORS (ALL QUITE UNTRUE) ARE STILL FLOATING AROUND and everybody who hears them is absolutely convinced that Todd Watkins, the publisher of the local papers, is "pulling out of Southern Inyo." Todd said "absolutely not," and that somebody must have mistaken his intent to "pull out of Southern Inyo in the sense of selling some property there." (Todd is upset about the water meters and what they are costing his properties there.) But the weekly newspaper for Southern Inyo will continue.

INYO PLANNING DIRECTOR DOUG SHERBURNE has been elected president of the County Planning Directors Association of California. That's our Doug, a natural-born leader. Right?

(See B.K., continued on back page.)

DRAFT AGREEMENT 6-21-79

The Board of Supervisors of Inyo County and the Board of Water and Power Commissioners of the City of Los Angeles hereby agree to work together on a five-year operational study program to explore, jointly, operations which would meet the combined objectives of the two parties. Los Angeles and Inyo County will develop and adopt a mutually agreeable water management plan for the Owens Valley incorporating to the maximum extent feasible the results of the five-year operational study program, to be implemented by the Department of Water and Power.

The cooperative five-year operational study program shall begin April 1, 1979, and shall include the following features:

1. During years when the Owens Valley-Mono Basin runoff is less than 80 percent of normal for the April through March period, the Department agrees not to pump more than an average of 250 cfs (total pumping) from the Owens Valley groundwater basin nor pump more than 200 cfs (total pumping) annual average in years when runoff is 70 percent of normal or less.

2. The Department of Water and Power will utilize the San Fernando groundwater basin to store water from the Los Angeles Aqueducts when available, in order to utilize said stored water to meet the needs of Los Angeles and indirectly the Owens Valley during dry periods when water is in short supply. The Department and Inyo County will work together to conserve water in Los Angeles and Inyo County to ensure an equitable and adequate supply for the needs of the Owens Valley, as identified on Attachment A, and Los Angeles. If unforeseen circumstances result which adversely affect the availability of water to meet the needs of the two parties or the environment, the parties will negotiate in good faith to jointly develop a mutually agreeable solution.

3. Department of Water and Power representatives will provide, on a monthly basis, forecasts of runoff and surface and groundwater operations to Inyo County and will meet monthly with County representatives to discuss pumping patterns for the purpose of obtaining input from the County as to modifications in said pumping. The two parties will work cooperatively with appropriate state or federal agencies in water planning studies for the Owens Valley including continuation of the cooperative study approved May 4, 1978.

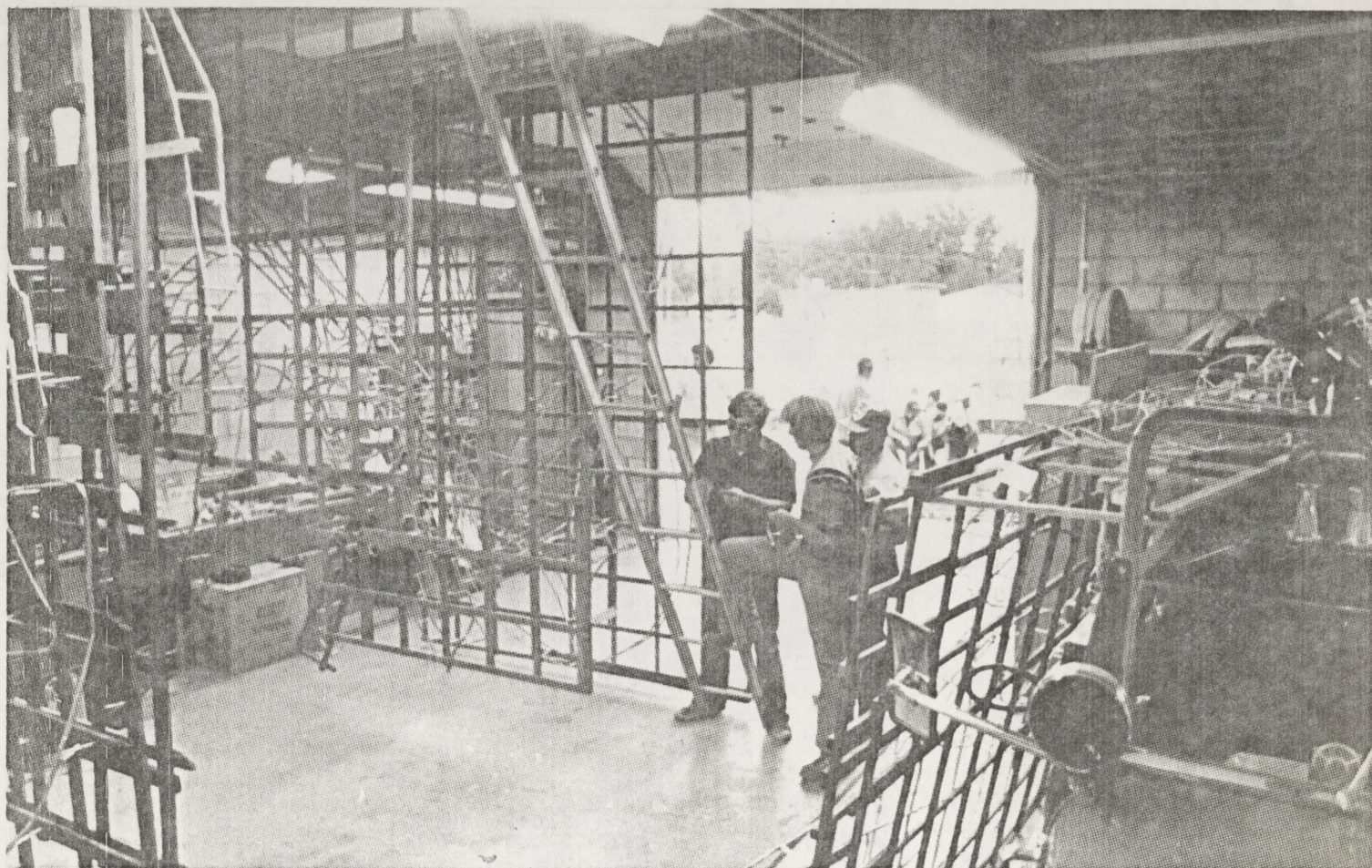
4. Department of Water and Power and Inyo County together will provide annually a sum of up to \$100,000 (in the ratio 5/8 DWP and 3/8 County) for the purpose of jointly hiring persons of appropriate training and background to assist the parties in carrying out the planned five-year cooperative study.

5. Department of Water and Power representatives will work with Inyo County representatives during the study program to identify additional opportunities for making available water for use on City lands for the purpose of enhancing fish, wildlife, ranching, and hay production and recreational opportunities on City lands.

Inyo County agrees to not challenge the City's Final Groundwater EIR. During the term of this agreement, both parties agree to make good faith efforts to avoid further recourse to the courts and to settle all existing litigation and will attempt to resolve all disputes through discussion and cooperation.

(Continued next page)

Fireworks show



As firemen in a town so appropriately named for the occasion, they decided years ago to make much of the celebration of the Fourth of July - Independence Day, literally - and so it is again this year. The local fire department each year attempts to outdo the efforts of the previous year in design and presentation of its fireworks show. The large frameworks shown here will provide the Independence airport audience with flaming, sparkling picture displays as the show gets underway at dusk on the holiday. The firemen spend hours - and their own money, along with a few donations - to present the spectacular.

(Adv. Cont.)

Attachment A
6-11-79

OWENS VALLEY WATER USES

I. IRRIGATION

Area	Irrigated (Approx.) Acreage	Area	Irrigated (Approx.) Acreage
Round Valley	3180	Big Pine	1900
Bishop	3820	Tinemaha to Haiwee	1460
Laws	720	Overheads & Spillgates	470
Total Acreage		11,500	
Total Annual Irrigation Supply		51,000 acre-feet	

II. STOCKWATER AND TOWN SUPPLIES - AS NECESSARY

III. RECREATION AND WILDLIFE HABITAT

Specific uses include: Farmers, Buckley, Sanders, Thibaut, and Lone Pine Ponds, Calvert and Lower Irvin Lakes; Fish Springs and Blackrock; fish hatcheries; and expansion of the Bishop Golf Course, Diaz Lake, Lone Pine Golf Course, and Mill Pond.

Total Annual Supply 7,600 acre-feet

A paid advertisement authorized by the Board of Supervisors, County of Inyo

A silent protest marks the victims of DWP pumps

Photo:
Benett Kessler

As the summer green returned to the valley, the evidence of DWP groundwater pumping became increasingly apparent; Dead trees - some of them remembered from last year as green and healthy - dotted the landscape. Last week, red flags and banners suddenly appeared, first at Lone Pine, then later further north as the protest silently caught the public imagination. Attempts to trace its source were met with smiles - and more silence - but it was learned that some businessmen (not, as might be expected, the predictable radical activists) had initiated the program of markers on DWP's dead tree victims. By week's end, more than a score of people were "red-flagging."



Near Lone Pine, a red flag waves above a dead tree stump

B.K., Continued

SUPERVISOR RICHARD McDONALD will neither confirm nor deny rumors that say he'll soon be leaving Lone Pine and Owens Valley. "A guy has got to make a living," is about as far as he will go in answer to direct questions. He points out, too, that his house is for sale. He has been one of our more popular supervisors and (barring reaction to the DWP agreement issue) was a cinch for re-election.

JOHN KONNENBERG PROBABLY KNOWS HIS MARKET, and so he's going for the "upper middle" dinner crowd as he opens Agate Mine Company, the old (and completely changed) Beacon Tavern. If you're one of the rock-roll-and-riot types, don't bother to show up; the music's not for you, anyway, but geared for better tastes. For openers, Konnenberg has booked a good chef who knows something about aged beef, and a good entertainer (George French who used to be with Merle Haggard, though he's not playing hillbilly) with a piano-organ that sounds like a whole dance orchestra. That's good news.

AND MAY THE NEWS IN YOUR DAY BE GOOD NEWS, every day.

- Sincerely,

BK

eastern sierra news service

INYO COUNTY

INDEPENDENCE, CALIFORNIA

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